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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 28 September 2005 from the Permanent Representative of El Salvador to the United Nations addressed to the Committee

I have the honour to transmit El Salvador's report in compliance with Security Council resolution 1540 (2004) (see annex).

(*Signed*) Carmen María **Gallardo Hernández**
Ambassador
Permanent Representative

05-55043 (E) 201005 241005

Annex to the letter dated 28 September 2005 from the Permanent Representative of El Salvador to the United Nations addressed to the Committee

Report of the Republic of El Salvador in compliance with Security Council resolution 1540 (2004)

Preliminary considerations

The Republic of El Salvador welcomes the adoption of Security Council resolution 1540 (2004) because, as a Member of the United Nations, it supports international efforts that advance the Organization's purposes of maintaining and promoting international peace and security.

In this regard, as a State party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and other international instruments related to the resolution in question, El Salvador bases its foreign policy on the objectives sought and the commitments made in them, such as avoiding proliferation and eliminating weapons of mass destruction, owing to the threat they pose to global peace and security.

At the subregional level, the Republic of El Salvador is a State party to the Framework Treaty on Democratic Security in Central America. The first paragraph of article 34 of this Treaty stipulates that the Parties undertake to refrain from acquiring, maintaining or permitting the deposit in or transit through their territories of weapons of indiscriminate mass destruction, including chemical, radiological and bacteriological weapons, and also not to construct or to allow anyone to construct in their territories facilities to manufacture or store such weapons.

Likewise, with regard to the fight against terrorism, the Republic of El Salvador has taken a series of measures to combat this threat to international peace and security, including implementation of resolution 1373 (2001) and submission of five implementation reports to the Counter-Terrorism Committee; ratification of 11 of the international counter-terrorism instruments, including signature of the International Convention for the Suppression of Acts of Nuclear Terrorism on 16 September 2005, within the framework of the sixtieth session of the General Assembly of the United Nations; membership in the Inter-American Committee against Terrorism (CICTE); ratification of the Inter-American Convention against Terrorism; at the regional level, adoption of the United Against Terrorism Declaration by the Central American Presidents, and the measures included in the Plan for Comprehensive Cooperation to Prevent and Combat Terrorism and Related Activities adopted by the Central American Security Commission.

El Salvador's comments on the operative paragraphs of resolution 1540 (2004) appear below.

Paragraph 1

(The Security Council) ... 1. Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

The Republic of El Salvador does not grant any form of assistance or support to non-State actors that attempt to carry out the activities described in this paragraph, because the Salvadorian Government is firmly committed to implementing resolution 1540 (2004) and other international instruments related to that resolution, including the Framework Treaty on Democratic Security in Central America, specifically the first paragraph of article 34, referred to above.

Some of the laws and procedures that help control the activities described in paragraph 1 will be described in the following paragraph.

Paragraph 2

(The Security Council) ... 2. Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

Article 217 of the Constitution of El Salvador establishes that the manufacture, import, export, trade, possession and carrying of weapons, ammunition, explosives and similar articles may be carried out only with the authorization and under the direct supervision of the Ministry of Defence.

With regard to international instruments, as mentioned above, El Salvador is a State party to, among others, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the Framework Treaty on Democratic Security in Central America.

In addition, El Salvador is a State party to the International Civil Aviation Organization's Convention on the Marking of Plastic Explosives for the Purpose of Detection and the International Convention for the Suppression of Terrorist Bombings, while the Convention on the Physical Protection of Nuclear Material is in the final stages of approval by the Legislature.

At the level of secondary legislation, El Salvador has the Act on Regulation and Control of Weapons, Ammunition, Explosives and Similar Articles, for the control and regulation of the use, manufacture, import, export and trade in firearms, ammunition, explosives, accessories and similar articles, as well as their storage, transport and possession. The Ministry of Defence is empowered to authorize all the activities described above and supervise them directly and the current Deputy Minister of Civil Security, through the National Civil Police, is responsible for

preventing and combating violations of the provisions of this Act in order to guarantee public safety.

Article 58 of the Act on Regulation and Control of Weapons, Ammunition, Explosives and Similar Articles prohibits natural and legal persons from manufacturing, importing, exporting, trading, possessing or carrying:

(a) Chemical, biological and radioactive weapons, and substances and materials for their production.

(b) Devices for firing weapons in secret.

(c) Ammunition poisoned with chemicals or natural products.

(d) Weapons of war.

(e) Weapons that belong to or are part of the equipment of the Armed Forces or the National Civil Police.

In addition, article 64 prohibits any natural or legal person from trading, manufacturing, exporting, importing, possessing or carrying explosives that are for military use; and articles 78 and 79 establish that arms, explosives, ammunition and accessories prohibited by the Act must obligatorily be handed over to the Ministry of Defence.

Article 262 (B) of the Criminal Code stipulates that any person who trades in, transports or introduces into the country substances or materials that are classified as dangerous in international treaties or in the Environment Act, violating established security regulations, shall be liable to 6 to 10 years' imprisonment.

The Environment Act prohibits the introduction of dangerous waste into the national territory, as well as its transit, release and storage.

El Salvador has an Inter-agency Counter-terrorism Unit (GRICTE), which has drafted a special counter-terrorism law that is in the final stage of approval by the Legislature.

As El Salvador becomes a party to the international instruments relating to compliance with resolution 1504 (2004), particularly the specific requirement in paragraph 2, the Salvadorian Government will arrange with the competent governmental bodies to adapt existing domestic legislation, when appropriate, or draft the pertinent laws in order to comply faithfully with the resolution. To this end, it may in due course consider requesting international technical assistance.

Paragraph 3

[...] Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) **Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;**

(b) **Develop and maintain appropriate effective physical protection measures;**

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.

Even though El Salvador does not acquire, possess, manufacture, develop, transport, transfer or use nuclear, chemical or biological weapons, the Act on Regulation and Control of Weapons, Ammunition, Explosives and Similar Articles establishes the control and prohibitions described in articles 58, 64, 78 and 79 and articles 65 and 66 also stipulate that natural and legal persons authorized to trade in detonators, explosives, initiators and high explosives for civilian use, whether or not they contain nitroglycerine, must provide a written report to the Ministry of Defence on any transaction of this material, specifying to whom it is being sold, the amount, the intended purpose and where it will be used.

Similarly, when using any type of explosives, all natural or legal persons must request the Ministry of Defence to send two explosives experts to verify that they are used appropriately and safely, and to check on the amount and the place where they will be used. Both the company and the experts must send a written report to the Ministry of Defence, with a copy to the National Civil Police.

Title VII of the Act also establishes measures of control and regulation and is reproduced below:

"TITLE VII
EXPLOSIVES AND SIMILAR ARTICLES

CHAPTER I
EXPLOSIVES

Art. 47. Any persons involved in the import, manufacture and trading of explosives shall comply with the provisions of Title IV, Chapter I, of this Act.

The term 'explosives' shall mean the combination of several substances and mixtures that produce an exothermic reaction upon initiation.

Art. 48. In order to purchase explosives at an establishment authorized to sell them, the interested party shall submit a purchase request to the Ministry of Defence, which shall inform the interested party within seven working days whether the request has been authorized.

Art. 49. Explosive material may be sold only to natural or legal persons who have previously received authorization from the Ministry of Defence; they shall keep a log to record the arrival and departure of explosives.

Art. 50. All natural or legal persons authorized to import, trade in or manufacture explosives shall have appropriate storage space for their safekeeping; this shall be certified and authorized by the Ministry of Defence, subject to compliance with the security measures and requirements established in the relevant regulations.

Art. 51. All natural and legal persons authorized to import or trade in explosives shall keep a log to record the arrival and departure of this product, duly authorized by the Ministry of Defence.

The National Civil Police shall periodically inspect establishments engaged in these activities and shall report any anomaly to the Ministry of Defence, so that the appropriate penalties may be imposed, without prejudice to possible criminal liability.

Art. 52. All explosives and similar material that enter the national territory shall be guarded by the relevant unit of the National Civil Police from the border post to the storage site previously authorized by the Ministry of Defence.

Art. 53. Explosives imported for trading or direct use by duly authorized natural or legal persons shall be deposited in warehouses approved by the Armed Forces, whence they shall be removed only with the authorization of the Ministry of Defence and under the proper custody of the National Civil Police.

Art. 54. The Regulations to this Act shall establish the different types of explosives which may be imported, manufactured and traded for civilian use, as well as any restrictions established for each type.

CHAPTER II
ARTICLES SIMILAR TO EXPLOSIVES

Art. 55. Any element or substance that, owing to its properties or in combination with another element or substance, can produce an explosion, deflagration, propulsion or pyrotechnical effect by means of an initiating pyrotechnical, electrical, chemical or mechanical action shall be considered an article similar to an explosive.

Art. 56. The Technical Committee to Evaluate and Control Articles Similar to Explosives is hereby created, hereinafter referred to as 'the Technical Committee'. It shall comprise a member of the relevant units of the following institutions: the Ministry of Defence, the National Civil Police, the El Salvador Fire Department, the Ministry for the Environment and Natural Resources, and the Supreme Council for Public Health. Its organization and functioning, as well as the qualifications for membership, shall be described in the special regulations.

No natural or legal person may manufacture, trade in or store products with a similar home-made or chemical combination, without first requesting and obtaining special permission from the Ministry of National Defence, following the Technical Committee's approval.

Art. 57. The relevant special permit and the authorization of the Ministry of Defence shall be required for the export or import of similar articles, after the

Supreme Council for Public Health has approved each article as established in the special regulations.

The list of similar articles and exp.osives shall be determined by the Technical Committee, which may also modify it.

In the case of trade in and use of pyrotechnical products, the municipalities concerned, in coordination with the El Salvador Fire Department and the Weapons and Explosives Division of the National Civil Police, shall determine the appropriate places for these purposes.

Natural and legal persons engaged in the activities described in this article shall comply with the requirements established in the special regulations."

Furthermore, a series of permanent border control and immigration measures have been adopted, covering both people and goods, and their operations are closely coordinated between the Treasury, the Immigration Department, the National Civil Police, the Armed Forces, the Ministry of Health and Welfare, and the Ministry of the Environment and Natural Resources.

Paragraph 6

[...] Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

As indicated previously, Title VII of the Act on Regulation and Control of Weapons, Ammunition, Explosives and Similar Articles regulates explosives and similar articles, and article 58 prohibits the manufacture, import, export, trade, possession or carrying of chemical, biological and radioactive weapons or substances and materials intended for their preparation.

In this connection, Chapter XI, article 95, and Chapter XII, article 98, of the Regulations to the Act contain lists of materials or substances; legal procedures are also established, which require special permission and/or authorization from the Ministry of Defence for their use, manufacture, import, export, storage, possession or carrying.

The aforementioned chapters are reproduced below:

"CHAPTER XI
EXPLOSIVES

Art. 95. Without prejudice to other categories that may be determined, the use, manufacture, import, export, possession or carrying of the following explosives shall require the authorization of the Ministry of Defence:

Electric detonators
Pyrotechnic detonators
Detonating cords
Lead azide
Mercuric fulminate
Lead styphnate
Tetrazene
Nitroglycerine

Nitroamide
Pentaerythritol pentanitrate (PENTN)
Trinitrotoluene (TNT)
Trinitrophenylmethylnitramine (TETRIL)
Trinitrophenol (Pyric acid)
Ammonium picrate (Explosive D)
Cyclotrimethylenetrinitramine (Halite)
Cyclotetramethylenetetranitramine (HMX)
Mixture of TNT, ammonium nitrate and aluminium dust (Ammonal)
Mixture of TNT and ammonium nitrate (Amatol)
Mixture of PETN and TNT (Pentolite)
Mixture of TNT and ammonium picrate (Picrate)
Mixture of TNT and fuel oil (Ednatol)
Mixture of RDX and TNT (Composition B)
Mixture of RDX, TNT and aluminium dust (Torpex)
Mixture of RDX and a stabilizer (Composition A-3)
Mixture of RDX, polyisobutylene, 2-ethylhexyl sebacate and motor oil (Composition C-4)
Mixture of RDX or PETN, nitrocellulose, plastifiers and organic solvents (Plastic explosives)
Dynamite or mixtures of nitrocellulose, nitroglycerine, nitrogenized salts and other additives, in cartridges, and used for demolition and mining work
Mixture of ammonium nitrate and diesel oil (ANFO)
Explosive emulsions or mixtures of ammonium nitrate, nitrogenized salts, other additives and water, used in demolition and mining work, for direct use by spillage or explosion in holes excavated in rocky outcrops.

CHAPTER XII
ARTICLES SIMILAR TO EXPLOSIVES

Art. 98. Without prejudice to other products that may be determined, the use, manufacture, import, export, possession or carrying of the following substances shall require the authorization of the Ministry of Defence, following a favourable report or approval of the Ministry of Health and Welfare:

Acetone
Arsenious acid
Arsenic acid
Cyanhydric acid
Pure chlorohydric acid or muriatic acid (industrial or impure chlorohydric acid for industrial use)
Nitric acid
Picric acid (trinitrophenol)
Sulphuric acid
Liquid ammonia (solution)
Acrolein or acrylic aldehyde
Arsenic (black or metallic); arsenic (white or arsenic anhydride, also called arsenic trioxide)
Sulphur
Sulphur dioxide (sulphuric anhydride) compressed in metal tubes
Hydrogen peroxide or dioxide

Bromine
Bromination of acetone
Benzyl bromide
Cyanogen bromide
Xylyl bromide
Bromomethylethylketone
Benzyl bromide with cyanide
Potassium cyanide
Sodium cyanide
Chlorine
Barium chlorate
Strontium chlorate
Potassium chlorate
Sodium chlorate
Diphosgene or dichloromethyl chloroformate
Chloroacetone
Chloroform, trichloromethane or formyl trichloride
Thiophosgene or carbon chlorosulfide
Cyanuric chloride
Chloroacetophenone
Chloropicrin or nitrochloroform
Chloride of azote
Collodion
Diphenyl chloroarsine
Diphenylamine chloroarsine
Diphenylcyanarsine
Dinitrocellulose
Sulphuric ether (regular ether)
Phosphorus
Glycerine
Hydrogen (compressed in metal tubes)
Barium nitrate
Strontium nitrate
Silver nitrate
Potassium nitrate, saltpetre, Kali Nitricum
Sodium nitrate
Carbon oxychloride or phosgene
Potassium permanganate
Picrates
Dimethyl sulphate
Chloroethyl sulphide, iprit, yperite
Tin tetrachloride
Benzyl iodide
Iodoacetone
Ethyl iodoacetone
Nitrocellulose"

Also, the Special Regulations for the Control and Regulation of Articles Similar to Explosives, Chemicals and Pyrotechnical Products control and regulate the manufacture, import, export, trade, storage, transport and use of these materials and substances, and article 7 provides a list, which can be expanded, reduced or

modified, of 79 regulated substances and articles that require the corresponding authorization for their import and export. This article is reproduced below.

"Art. 7. Any export or import of the substances listed below shall require the authorization of the Ministry, based if necessary on an opinion from the Supreme Council:

1. Oxalic acid
2. Aluminium (dust)
3. Antimony
4. Sodium benzoate
5. Carbon of vegetable origin for use in fireworks
6. Strontium carbonate
7. Barium chlorate
8. Dextrin
9. Mustard gas
10. Pepper gas
11. Steel filings
12. Magnesium
13. Mixtures that contain substances similar to regulated explosives
14. Sodium oxalate
15. Copper oxychloride
16. Potassium perchlorate
17. Barium nitrate
18. Potassium nitrate
19. Titanium
20. Acetone
21. Arsenous acid
22. Arsenic acid
23. Cyanhydric acid
24. Pure chlorhydric acid or muriatic acid (industrial or impure chlorohydric acid for industrial use)
25. Nitric acid
26. Picric acid (Trinitrophenol)
27. Sulphuric acid
28. Liquid ammonia (solution)
29. Acrolein or acrylic aldehyde
30. Arsenic (black or metallic); arsenic (white or arsenic anhydride, also allied arsenic trioxide)
31. Sulphur
32. Sulphur dioxide (sulphuric anhydride) compressed in metal tubes
33. Hydrogen peroxide or dioxide
34. Bromine
35. Bromination of acetone
36. Benzyl bromide
37. Cyanogen bromide
38. Xylyl bromide
39. Bromomethylethylketone
40. Benzyl bromide with cyanide
41. Potassium cyanide
42. Sodium cyanide

43. Chlorine
44. Barium chlorate
45. Strontium chlorate
46. Potassium chlorate
47. Sodium chlorate
48. Diphosgene or dichloromethyl chloroformate
49. Chloroacetone
50. Chloroform, trichloromethane or formyl trichloride
51. Thiophosgene or carbon chlorosulfide
52. Cyanuric chloride
53. Chloroacetophenone
54. Chloropicrin or nitrochloroform
55. Azote chloride
56. Collodion
57. Diphenyl chloroarsine
58. Diphenylamine chloroarsine
59. Diphenylcyanarsine
60. Dinitrocellulose
61. Sulphuric ether (regular ether)
62. Phosphorus
63. Glycerine
64. Hydrogen (compressed in metal tubes)
65. Barium nitrate
66. Strontium nitrate
67. Silver nitrate
68. Potassium nitrate, saltpetre, Kali Nitricum
69. Sodium nitrate
70. Carbon oxychloride or phosgene
71. Potassium permanganate
72. Picrates
73. Dimethyl sulphate
74. Chloroethyl sulphide, iprit, yperite
75. Tin tetrachloride
76. Benzyl iodide
77. Iodoacetone
78. Ethyl iodoacetone
79. Nitrocellulose

The classification and updating of the list of substances regulated by this article shall be revised by the Technical Committee twice a year and the list may be expanded, reduced or modified."

Paragraph 7

[...] Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

Even though the Republic of El Salvador has domestic laws that can be adapted in order to implement resolution 1540 (2004), these instruments need to be

updated and strengthened either by drafting and enacting specific laws or by reforming existing laws to restrict the manufacture, import, export, trade, trafficking, transit and use of such substances, materials and technologies for the development or use of nuclear, biological or chemical weapons.

We believe that international organizations and the more developed countries with greater experience in this area should provide cooperation and assistance to Member States that need and request it in order to adopt pertinent measures to help them implement resolution 1540 (2004) to the best of their ability. One way in which they could help would be by drafting model laws, and also by providing appropriate training and/or advice on measures to counter weapons proliferation.

Paragraph 8

[...] Calls upon all States:

(a) **To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;**

(b) **To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;**

(c) **To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;**

(d) **To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;**

The State of El Salvador promotes compliance with international commitments so as to ensure that effective measures are adopted to prevent and combat violations of or threats to national, regional and international security, such as nuclear, biological and chemical weapons.

As mentioned above, El Salvador, which does not possess chemical, biological and nuclear weapons, has legislation that allows it to regulate and control some weapons, ammunition, explosives and similar articles, but has no experience in the control of weapons of mass destruction because it does not possess such weapons and is not interested in acquiring them. Consequently, as also mentioned above, it is in the process of identifying gaps in its laws in order to adapt the legislation and better comply with its international commitments.

As a Member of the United Nations, El Salvador is engaged in a series of activities and efforts designed to ensure fulfilment of the ideals and purposes stated in the Organization's Charter. These have included active participation in international conferences and support for all the initiatives geared to non-proliferation and non-use of weapons of mass destruction, including controls to ensure that such weapons cannot be acquired or used by non-State agents.

Paragraph 9

[...] Calls upon all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;

At the regional level, in the context of the Framework Treaty on Democratic Security in Central America, there is a Plan of Action to implement the Program for Arms Limitation and Control for Reaching a Reasonable Balance of Forces and Promoting Stability, Mutual Confidence and Transparency in Central America. Under this Program, mechanisms have been established for government officials to verify and control the inventories of each country, and at the regional level, in order to ensure compliance with the relevant measures concerning non-proliferation and the security and limitation of arsenals of small arms and light and conventional weapons (art. 35).

In addition, as already mentioned, El Salvador, as a State party to the Framework Treaty has undertaken to refrain from acquiring, maintaining or permitting the deposit in or transit through its territory of weapons of indiscriminate mass destruction, including chemical, radiological and bacteriological weapons, and also undertaken not to construct or to allow anyone to construct in its territory facilities to manufacture or store such weapons (art. 34).

Also, again in the context of the obligations under the Framework Treaty on Democratic Security, El Salvador has undertaken to assume the obligations of the Tlatelolco Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, and also to advance towards accession to the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (art. 46).

It is noteworthy that the Government of El Salvador has been taking part in various United Nations international conferences, for example on the Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Nuclear-Test-Ban Treaty (CTBT), joining the commitments undertaken and the efforts made by most countries to comply faithfully with these international instruments. During the High-level Plenary Meeting of the sixtieth session of the General Assembly of the United Nations, El Salvador expressed its support for efforts to achieve a global commitment to eliminate weapons of mass destruction and, in this regard, support Norway's initiative to adopt a declaration on disarmament and security.

Paragraph 10

[...] Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

El Salvador promotes compliance with international commitments to adopt effective measures to prevent and combat threats to or violations of national, regional and global security. Accordingly, it is always open to providing the necessary cooperation to prevent the illicit trafficking of nuclear, chemical or biological weapons, their means of delivery and related materials, in accordance with its domestic laws and the international instruments to which it is a party.

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Committee

With reference to the note of the Chairman of 22 August 2005 regarding national reports on the implementation of Security Council resolution 1540 (2004), the Government of Uganda established a National Authority in the Department of Occupational Safety and Health in the Ministry of Gender, Labour and Social Development to ensure compliance through coordination with other stakeholders.

The Government has not fully developed the legal and regulatory infrastructure for implementing the obligations and provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

Uganda lacks the capacity to implement the obligations and provisions of resolution 1540 (2004). Technical and other assistance is required to implement the envisaged activities:

- To develop and maintain appropriate national measures to account for, secure and physically protect nuclear, chemical and biological weapons and their means of delivery, including related materials
- To develop and maintain appropriate national border controls to detect, deter, prevent and combat the illicit trafficking and brokering of nuclear, chemical and biological weapons and their means of delivery, including related materials
- To establish, develop, review and maintain appropriate national export and trans-shipment controls over nuclear, chemical and biological weapons and their means of delivery, including related materials.

In the initial stages, the Government proposes the attached budget, for which we would welcome assistance and support (see annex I). We would therefore appreciate your assistance in obtaining the needed resources.

Please find, attached as annex II to the present letter, a letter dated 25 August 2005 from the Permanent Secretary of the Ministry of Gender, Labour and Social Development of Uganda, transmitting a request by Uganda for assistance for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

05-55061 (E) 191005

Annex I to the letter dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Committee

Budget for the proposal

The National Authority has inadequate resources to effectively carry out the implementation activities required by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The following items have been identified which require financial assistance.

Item	*Quantity*	*Unit cost (United States dollars)*	*Total cost (United States dollars)*
1. Information/Office requirements			
Local Area Network (LAN)			1 200.00
Database programme design			6 000.00
Photocopier	1	5 400.00	5 400.00
Filing cabinets	2	250.00	500.00
Fax machine	1	3 400.00	3 400.00
E-mail and telephone services installation			1 500.00
E-mail and telephone services (3,000 x 5 years)			15 000.00
Stationery (5,000 x 5 years)			25 000.00
Survey/monitoring and identifying declarable facilities (12,000 x 5 years)			60 000.00
2. Training facility			
Conference table	1		2 000.00
Conference chairs	20	100.00	2 000.00
Mobile (Power point) projector	1	2 800.00	2 800.00
Flip chart stand	1	150.00	150.00
Power point screen	1	100.00	100.00
3. Transport facility			
Toyota Hilux Double Cabin 4WD Pick-Up	1		50 000.00
Total			**174 550.00**

Amount requested is one hundred and seventy-four thousand, five hundred and fifty United States dollars only (US$ 174,550.00).

Annex II to the letter dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004)

Assistance in regard to Security Council resolution 1540 (2004) on nuclear, chemical and biological weapons

With reference to the letter of the Chairman dated 20 May 2005 pursuant to the implementation of resolution 1540 (2004) of the Security Council, please find enclosed for your consideration and action our request for assistance pursuant to resolution 1540 (2004) (see enclosure).

(*Signed*) Ralph W. **Ochan**
Permanent Secretary

Enclosure

Request for assistance by the Republic of Uganda for the implementation of the Chemical Weapons convention

1.0 Background and justification

The Government of the Republic of Uganda signed the Chemical Weapons Convention (CWC) on 14 January 1993 and ratified it on 30 November 2001. Ratification goes with certain obligations and responsibilities, which Uganda has to comply with as a full member. In order to implement the activities of the CWC and coordination with the Organization for the Prohibition of Chemical Weapons (OPCW), a National Authority (NA) was established in the Department of Occupational Safety and Health, in the Ministry of Gender, Labour and Social Development.

The National Authority is responsible to ensure compliance through coordination with other stakeholders. The stakeholders which make up the NA include the following Government Ministries and Organizations: Ministry of Foreign Affairs; Ministry of Defence; Ministry of Water, Lands and Environment; Ministry of Health; Ministry of Agriculture, Animal Industry and Fisheries; Ministry of Justice and Constitutional Affairs; Ministry of Finance Planning and Economic Development; Ministry of Internal Affairs; Ministry of Tourism, Trade and Industry; The National Environment Management Authority (NEMA); Uganda Manufacturers Association (UMA); and Uganda Revenue Authority (URA).

The Government of the Republic of Uganda has not fully developed the legal and regulatory infrastructure for implementing the obligations and provisions of the CWC and resolution 1540 (2004).

The Government of Uganda is seeking technical and other resources to carry out her obligations under the CWC and resolution 1540 (2004).

The implementation activities/provisions under the CWC and resolution 1540 (2004) involve extensive consultation and collaboration with the stakeholders, monitoring and evaluation of production facilities and sensitization of the population about CWC across the country. This requires a broad range of communication facilities for the National Authority in order to fulfil these provisions. The NA is hosted in the capital city while the production facilities are scattered across the country.

In addition, technical assistance is required in areas of capacity-building of the NA members on the obligations and declarations, legal measures and transport facility.

1.1 Objective

To strengthen the capacity of the National Authority to implement the obligations of the CWC and the provisions of resolution 1540 (2004) in Uganda.

1.2 Specific objectives

- To develop legal regulations to enforce the CWC.
- To have a full-fledged National Authority with a database on the chemicals/activities carried out at processing factories.
- To monitor the import, transit and use of chemicals entering and leaving the country.
- To raise awareness and foster a better understanding of the objectives of the CWC and to promote the peaceful use of chemistry.
- Training of NA in the CWC implementation activities.

1.3 Expected outputs

- National legislation on the enforcement of the CWC and related plan of action formulated and operationalized.
- Increased capacity of the NA to monitor and implement the CWC provisions.
- Skilled and trained workforce on the implementation of CWC.

1.4 Performance indicators

- Effective CWC national legislation and related plan of action.
- Key government stakeholders mainstreaming the CWC activities in their regular workplans, activities and budgets.
- An effective monitoring system in place with updated information on the CWC implementation programmes.